

Application No.: 10/674,095

Office Action Dated: August 18, 2005

Response to Office Action Dated: October 28, 2005

REMARKS

Claims 11, 23, 24, 27, 28, 30, 33, 36-38 and 40 were pending prior to filing this Response. Claim 11 is amended herein. Claims 27, 28, 30, 33 and 36 are being canceled. Therefore claims 11, 23, 24, 37, 38 and 40 remain for consideration.

The Examiner states in the Office Action of August 18, 2005 that claims 37, 38 and 40 are allowed.

Claims 11, 23, 27, 28, 30 and 33 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Matsuki et al. (U.S. Pat. No. 5,074,457). Claim 24 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Matsuki et al. (U.S. Pat. No. 5,074,457) in view of Budenbender (U.S. Pat. No. 5,205,468).

Claim 36 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including the limitations of the base claim and any intervening claims.

Claim 11 is amended herein to include the limitations of claim 36. Amended claim 11 is equivalent in scope to that of claim 36 rewritten in independent form. Accordingly, it is respectfully submitted that amended claim 11 is in allowable form. Because claims 23 and 24 each ultimately depend from amended claim 11, it is respectfully submitted that claims 23 and 24 are in condition for allowance for at least the reasons set forth for amended claim 11.

The remaining rejected claims are canceled herein and therefore are no longer under consideration.

In view of the foregoing, it is respectfully submitted that claims 37, 38 and 40 are allowed, and that claims 11, 23 and 24 are in condition for allowance. All issues raised by the Examiner having been addressed, an early action to that effect is earnestly solicited.

OCT-28-05

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FROM:McCormick, Paulding, & Huber

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No fees or deficiencies in fees are believed to be owed. However, authorization is hereby given to charge our Deposit Account No. 13-0235 in the event any such fees are owed.

Respectfully submitted,

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